

DEPARTMENT of the INTERIOR

news release

FISH AND WILDLIFE SERVICE

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MIGRATORY GAME BIRD HUNTING BAN COURTCASE SETTLED

A lawsuit to halt migratory game bird hunting nationwide has been settled out of court by the U.S. Fish and Wildlife Service and four private organizations.

As a result, waterfowl hunting will not be interrupted this year, and the Interior Department has agreed to prepare an environmental impact statement (EIS) before next year's migratory bird hunting regulations are issued.

The suit was filed because an environmental impact statement was not prepared for the 1974-1975 migratory bird hunting season. The National Environmental Policy Act requires that major Federal actions significantly affecting the quality of the human environment must be preceded by publication of a detailed statement by the responsible official on the environmental impact of the proposed action.

The EIS will describe and evaluate the long established procedure for setting migratory bird hunting regulations in the United States and the extensive data gathering programs on which annual decisions about regulations are based. Moreover, as part of the agreement the EIS will discuss and evaluate the points of concern expressed by the plaintiffs in the case, who are the Fund for Animals, Inc.; the Humane Society of the United States, New Jersey Branch; Wildlife Preserves, Inc., and Deer Ecology Environment and Resources, Inc. The points to be considered in connection with the preparation of the EIS include shooting hours, bonus bags, bonus and special seasons, hunting of restricted species, the point system, and hunting of cranes, swans, and mergansers.

Other points of concern to the plaintiffs were simplification of waterfowl hunting regulations to the extent possible; requiring a duck stamp for all waterfowl hunters regardless of age; encouraging more effective enforcement of migratory bird hunting regulations; and more direct participation by the plaintiffs in development of annual migratory bird hunting regulations.

In the agreement the plaintiffs reserve all rights to challenge the EIS with the exception that once the EIS is completed the plaintiffs will be barred from legal action challenging it on the scope of the subject assessed. They retain the right to challenge the quality with which the subject is treated, however.

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